

1 BILL NO. X-~~82~~

13-08-30

2 ANNEXATION ORDINANCE NO. X-

05-23

3 AN ORDINANCE annexing certain territory
4 commonly known as the Southtowne Square
5 Annexation Area to the City of Fort Wayne,
6 Indiana and including same in Councilmanic
7 District No. 6.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the following described territory be and the
11 same is hereby annexed to, and made a part of, the corporation of the
12 City of Fort Wayne, Indiana, to-wit:

13 Commencing at the intersection of the south right-of-way
14 line of Tillman Road with the east line of the west one-half
15 of Section 31, Township 30 North, Range 13 East; thence
16 south on the east line of the west one-half of Section 31,
17 Township 30 North, Range 13 East to its intersection with
18 the south line of the north one-half of the northwest
19 quarter of said Section 31; thence continuing south along
20 said east line of the west one-half of Section 31 a distance
21 of 887 feet to the point of beginning. Beginning at the
22 above described point; thence south along the east line of
23 the west half of Section 31, Township 30 North, Range 13 East
24 to the south right-of-way line of U.S. Highway #27; thence
25 continuing south along said east line a distance of 240 feet;
26 thence south 87 degrees 53 minutes west to the west right-of-way
27 line of South Anthony Boulevard; thence north along the west
28 right-of-way line of South Anthony Boulevard to a point on the
29 present City limits line as described in ordinance X-31-69,
30 said point being 330 feet south of the south line of South
31 Dellwood Park, Section A; thence north 87 degrees 49 minutes
32 east along the present City limits line as described in
ordinance X-31-69 a distance of 585 feet; thence north 1 degree
37 minutes west along the present City limits line as described
in ordinance X-31-69 to its intersection with the south line of
the northwest quarter of Section 31; thence east along the south
line of the northwest quarter of Section 31 to its intersection
with the east right-of-way of Old Decatur Road; thence in a
northwesterly direction along the east right-of-way of Old
Decatur Road to its intersection with the south line of the
north one-half of the northwest one quarter of Section 31;
thence east along the south line of the north one-half
of the northwest one quarter of Section 31 to a point
located 339.33 feet west of the east line of the west one-half
of Section 31, Township 30 North, Range 13 East; thence south
along the present City limits as described in ordinance X-02-81
a distance of 870.8 feet; thence south 87 degrees 16 minutes
east a distance of 339.72 feet to the point of beginning,
containing 54 acres of land, more or less.

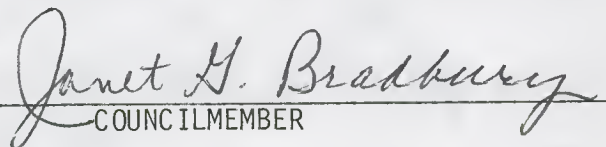
SECTION 2. That the City of Fort Wayne will furnish the above
described territory within a period of one (1) year from the effective date

1
2 of annexation, planned services of a non-capital nature, including police
3 protection, fire protection and street and road maintenance, in a manner
4 which is equivalent in standard and scope to those non-capital services
5 provided to areas within the City of Fort Wayne which have similar topography,
6 patterns of land utilization and population density to the said described
7 territory. The City of Fort Wayne will also provide services of a capital
8 improvement nature, including street construction, street lighting, sewer
9 facilities, water facilities and stormwater drainage facilities to the
10 annexed territory within three (3) years of the effective date of annexation,
11 in the same manner as such services are provided to areas already in the
12 City of Fort Wayne with similar topography, patterns of land utilization
13 and population density, and in a manner consistent with federal, state and
14 local laws, procedures and planning criteria.

15 SECTION 3. That governmental and proprietary services will be
16 provided to the above described territory in a manner consistent with the
17 written Fiscal Plan for the territory developed by the Department of
18 Community Development and Planning. Said Plan was examined by the Common
19 Council of the City of Fort Wayne and is approved and adopted by the Common
20 Council by and upon the passage of this Ordinance.

21 SECTION 4. That said described territory shall be a part of
22 City Councilmanic Political Ward No. 6 of the City of Fort Wayne, Indiana,
23 as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code
24 of the City of Fort Wayne, Indiana of 1974, as amended.

25 SECTION 5. That after its passage, due legal publication, any
26 and all necessary approval by the Mayor and the required sixty (60) days
27 remonstrance period, this ordinance shall be in full force and effect on
28 December 31, 1983.

29 
COUNCILMEMBER

30
31 APPROVED AS TO FORM AND LEGALITY

32 
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stee, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock ____ M., E.S.T.

DATE: 8-9-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stee, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 8-23-83

Sandra E. Kennedy
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. X-05-83 on the 23rd day of August, 1983

ATTEST:

(SEAL)

Sandra E. Kennedy
CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1983, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
CITY CLERK

Approved and signed by me this 26th day of August, 1983, at the hour of 3:45 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. X-83-08-30

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN
ORDINANCE annexing certain territory commonly known as the
Southtowne Square Annexation Area to the City of Fort Wayne,
Indiana and including same in Councilmanic District No. 6

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

JAMES S. STIER

PAUL M. BURNS

Paul M. Burns

DONALD J. SCHMIDT

Donald J. Schmidt

Concurred R-23 J. Kennedy

TITLE OF ORDINANCE Ordinance for Southtowne Square

X F3-08-20

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 54 acres and is bounded on the north and on the west by the City. The basis for annexing this area is the provision of the state law that allows the annexation of an area if it is at least one-eighth (1/8) contiguous to the City and if it has at least one of the following three characteristics: (1) the territory is zoned for commercial, business or industrial uses; or (2) has at least three persons per acre; or (3) is at least sixty percent (60%) subdivided. This annexation is sixty-four percent (64%) contiguous and has a population density of 15.9 persons per acre. In addition, the annexation meets another state law provision in that it is at least twenty-five percent (25%) contiguous and is needed and can be used by the City for its growth and development in the reasonably near future.

EFFECT OF PASSAGE Described territory will become part of the City. In addition, annexation will expand the City's tax base and will allow the City to keep pace with urban growth.

EFFECT OF NON-PASSAGE The area will not become part of the City.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by the Fiscal Plan, which will be prepared by the Department of Community Development and Planning.

ASSIGNED TO COMMITTEE (J.N.) _____

Memorandum

To Councilwoman Bradbury

Date 8/22/83

From Mike Graham

Subject Southtowne Square Annexation

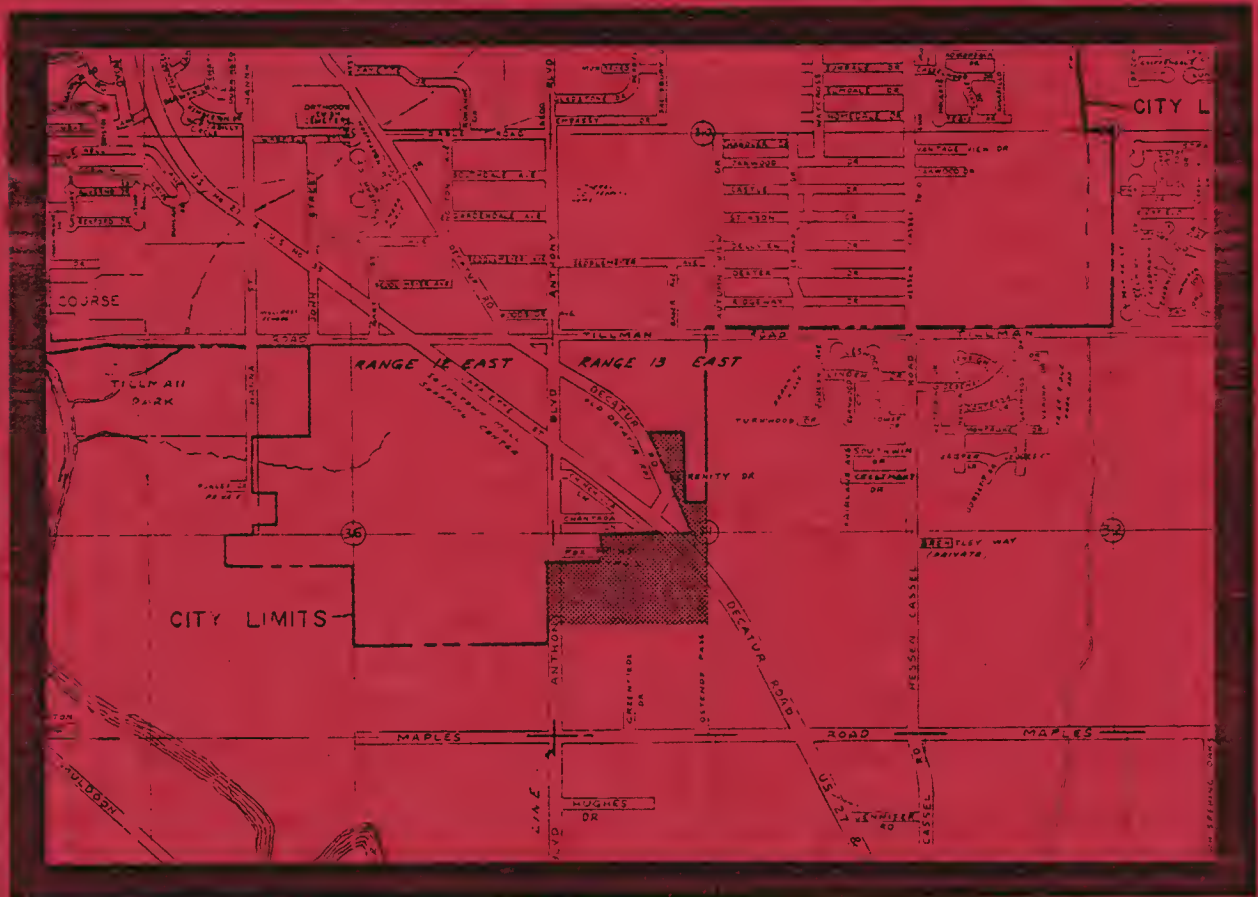
COPIES TO:

P. Burns
B. Eisbart
M. GiaQuinta
D. Schmidt
R. Schomburg
V. Scruggs
J. Stier
S. Talarico
S. Kennedy

Attached is a copy of the Southtowne Square Annexation Fiscal Plan. The Southtowne Square Annexation Ordinance and Resolution will be before the Council on August 23, 1983.

On August 22nd, the City Plan Commission will make a recommendation as to whether the annexation ordinance should be approved. Kenric McCrory or I will bring a copy of the Plan Commission's resolution to the Council meeting on the 23rd and will answer any questions that you may have about the annexation.

SOUTHTOWNE SQUARE ANNEXATION FISCAL PLAN



DEPARTMENT OF
COMMUNITY DEVELOPMENT
AND PLANNING

THE CITY OF FORT WAYNE

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SECTION ONE - BASIC DATA

A. LOCATION

The area proposed for annexation is located southeast of the City of Fort Wayne and is bounded on the north and west by the City, on the east by the north-south centerline of Section 31, and on the south by the southern boundary of the Villa Capri apartment complex (see Figure 1).

B. SIZE

The Southtowne Square Annexation is approximately 54 acres.

C. POPULATION

Figures from the 1980 Census of Population and Housing show that there are 3.06 persons per dwelling unit in the part of Adams Township which is outside the City of Fort Wayne. Since there are 280 dwelling units in the annexation area, it is estimated that 857 people live in the annexation area.

D. BUILDINGS

Apartments	15 buildings (with 280 units) in good condition
Clubhouse	1 building in good condition

E. LAND USE

	<u>Acres</u>	<u>Percent</u>
Residential (Multi-family)	33.7	62%
State Highway	2.5	5%
Agricultural/Vacant	17.5	33%

F. ZONING

The Southtowne Square Annexation has two zoning classifications (see Figure 2). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and will be classified as shown below:

<u>County Zoning Classification</u>	<u>City Zoning Classification</u>
RS-1 Suburban Residential	R-1 Single Family Residential
RSP-3 Medium Density Planned Residential	R-3 Multiple Family

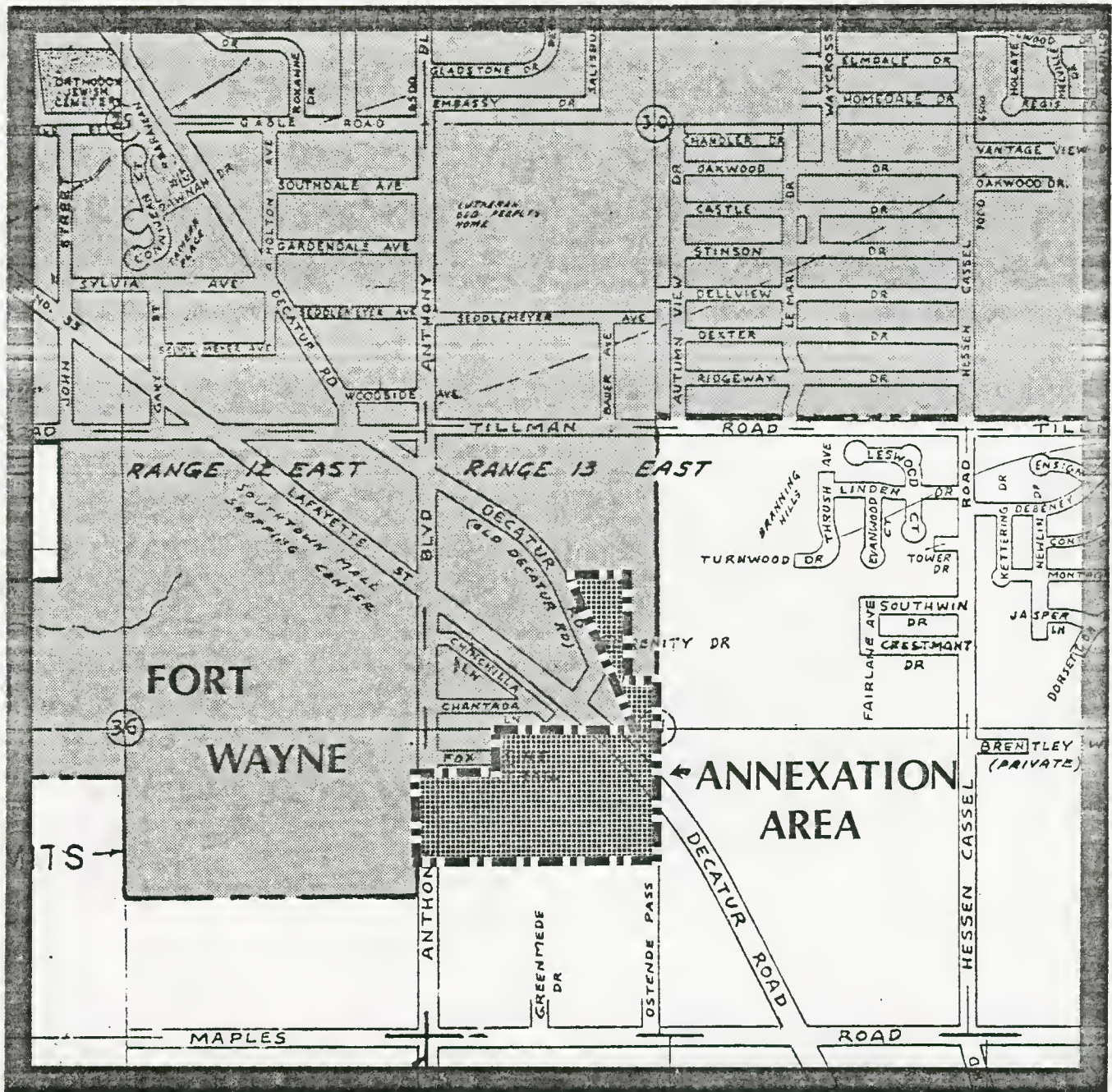
G. ASSESSMENT

\$1,409,610

H. TAX RATE

Existing - 6.5275	After Annexation - 9.8772	Increase - 3.3497
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FIGURE 1



LOCATION

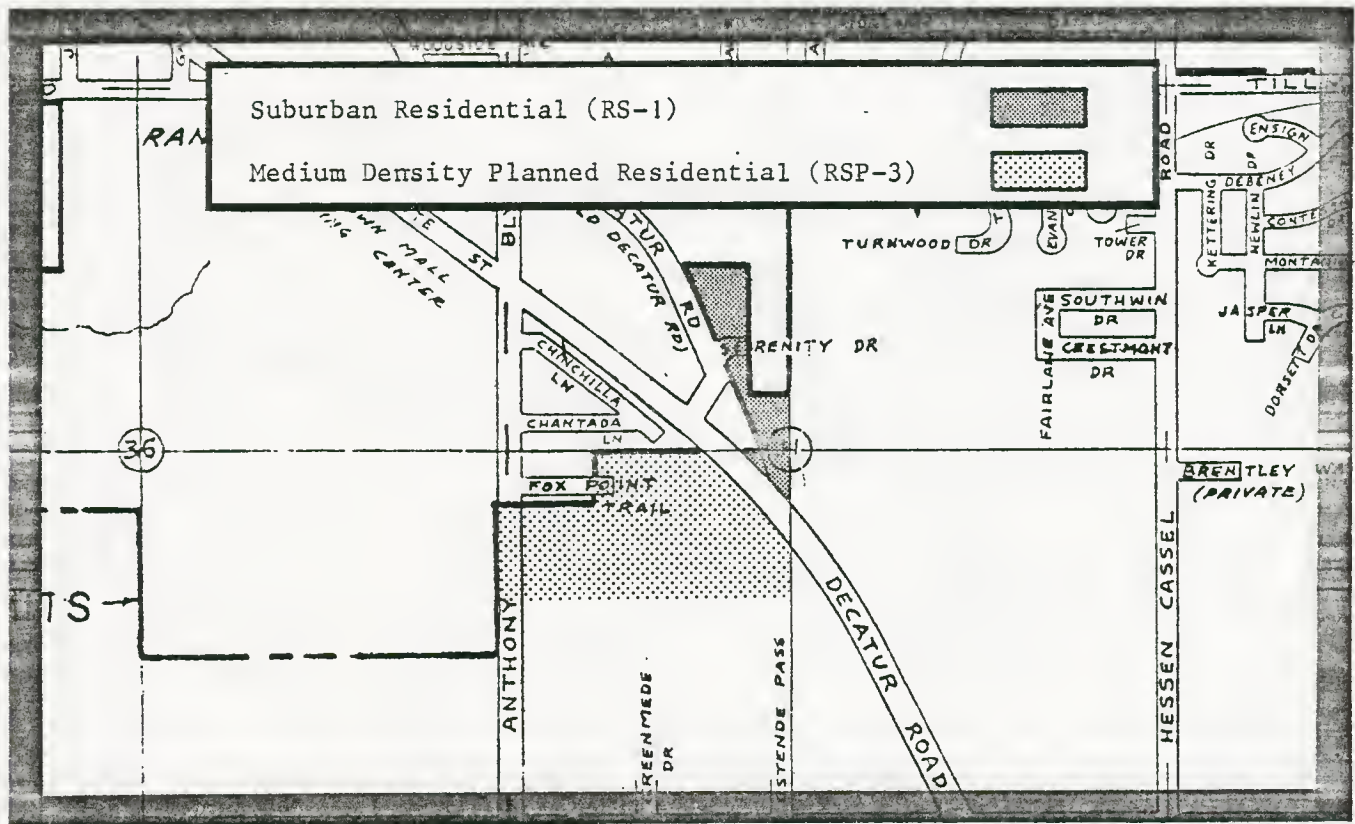
I. UTILITIES

The two apartment complexes in the area receive city water and city sewer services. In addition, developers of both complexes signed contracts for the extension of sewer services in which they agreed not to contest any annexation proceedings undertaken by the City of Fort Wayne.

J. COUNCIL DISTRICT

The annexation area will be in City Council District 6.

FIGURE 2



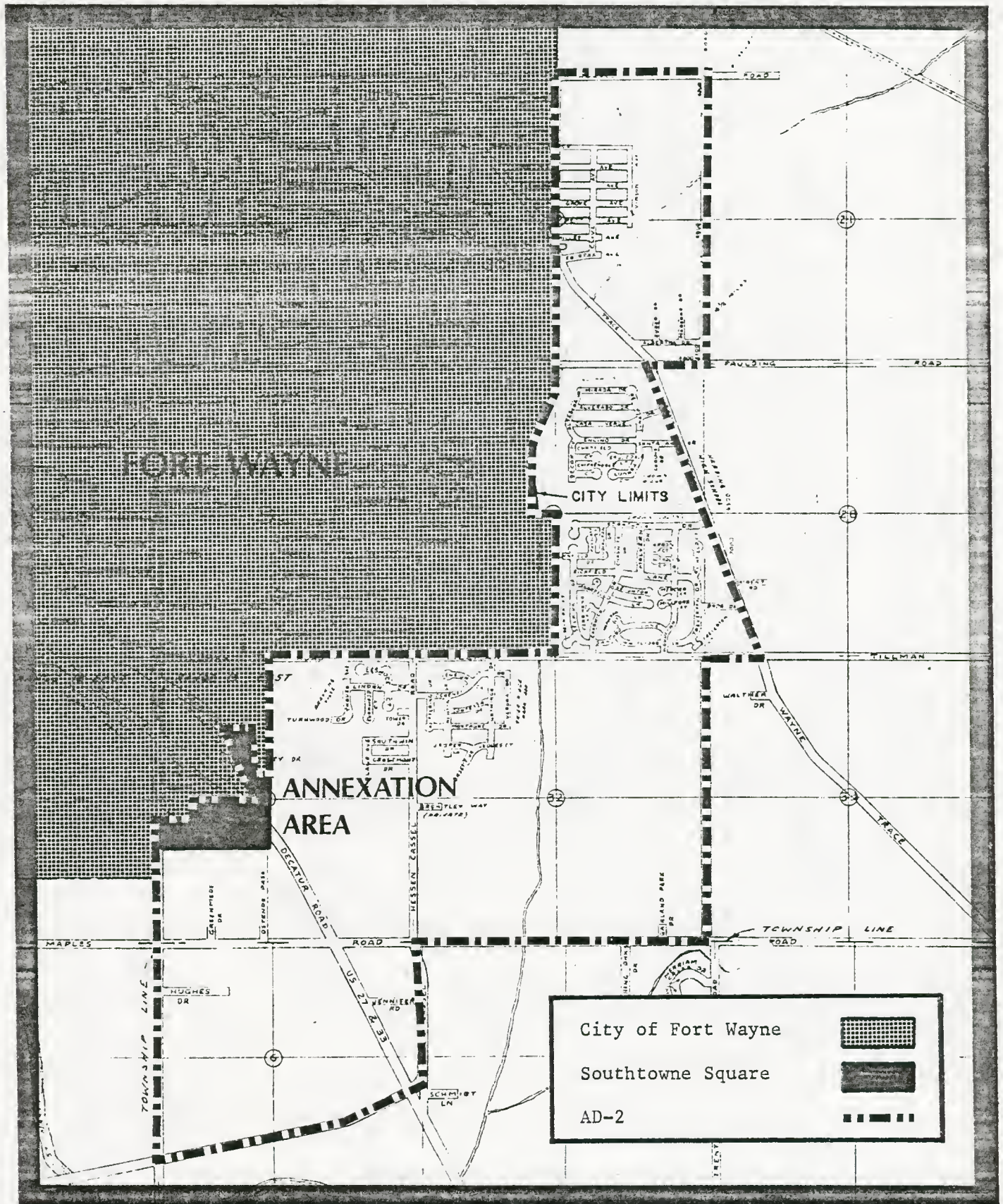
ZONING

SECTION TWO - THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Southtowne Square area is part of a larger, comprehensive annexation program that was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Southtowne Square area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation. Figure 3 shows the area identified for annexation in the 1975-76 annexation report (In the report the area was identified as AD-2).

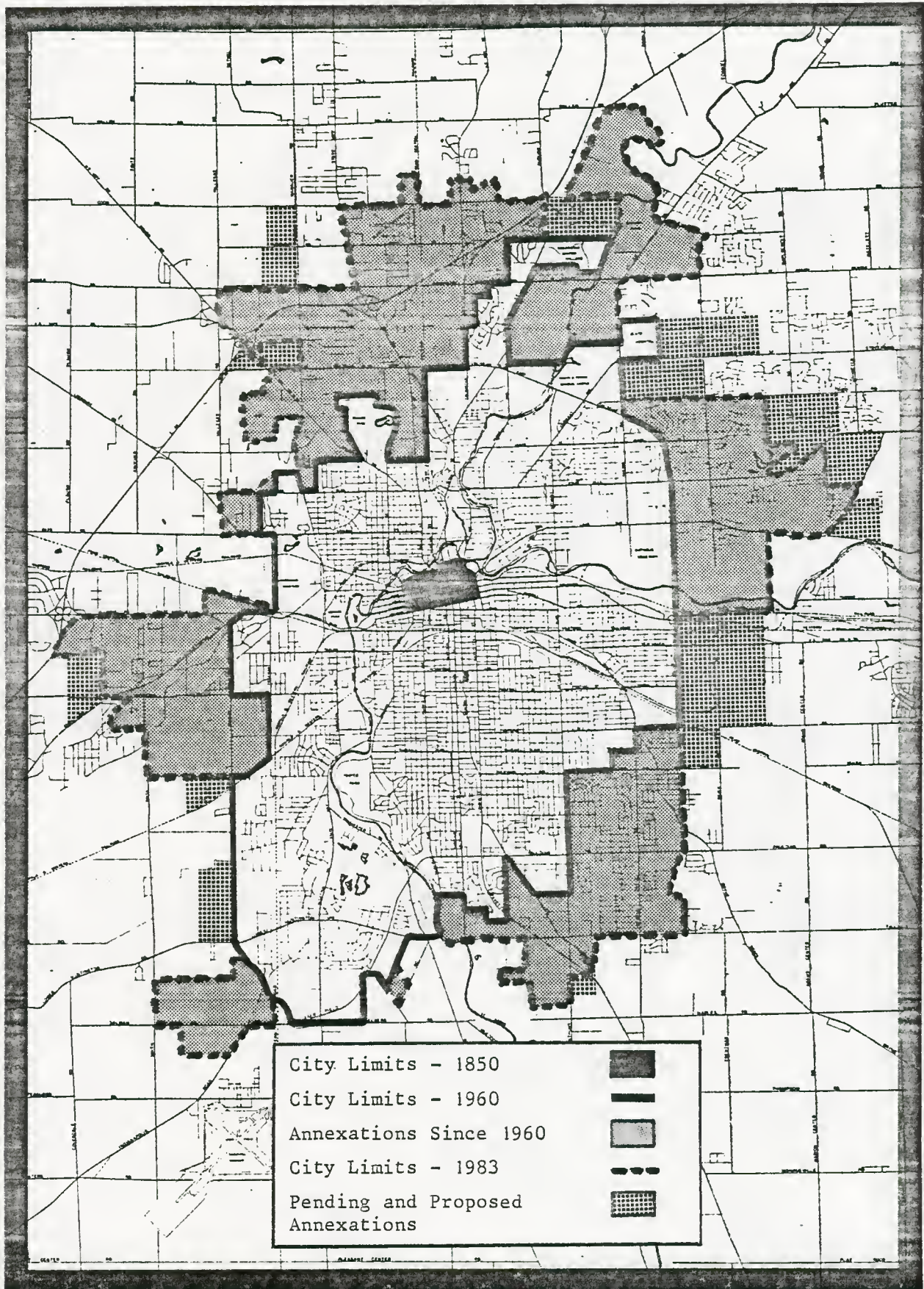
Even before the preparation of the 1975-76 annexation report, annexation was being pursued by community leaders. Figure 4 illustrates this fact. The figure shows the 1850 city limits of Fort Wayne, the city boundary in 1960, the areas which have been annexed since 1960, and areas which are presently proposed for annexation. As can be seen, annexation has been used extensively since 1850 and through it the community has remained relatively unified, rather than being split up into dozens of different municipalities.

FIGURE 3



ANNEXATIONS IN AD-2

FIGURE 4



CITY LIMITS - 1960

SECTION THREE - STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, the municipality must be sure that that proposed annexation is in accordance with the state law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. The two options are:

1. The area must be at least one-eighth contiguous (12.5%) to the annexation area and it must meet at least one of the following three conditions: (a) have a population density of at least three persons per acre; (b) be zoned for commercial, business, or industrial uses; (c) be at least sixty percent subdivided; or
2. The area must be at least one-fourth contiguous (25%) to the annexation area and it must be needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, together with the methods for financing such services.

The Southtowne Square annexation meets not just one, but both of the options that have been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets these two annexation requirements.

B. ONE-EIGHTH CONTIGUOUS

Figure 5 illustrates the length of the external boundaries of the annexation area. As can be seen, sixty-four percent of the annexation area's boundaries are contiguous to the City of Fort Wayne. Therefore, this annexation easily meets the one-eighth (12.5%) contiguity requirement mandated by state statute.

As mentioned in the introduction, if the annexation is at least one-eighth contiguous to the municipality, it can be annexed if any one of three conditions are met. The Southtowne Square annexation, which has a population density of 16 persons per acre, is five times more populated than that required by state law.

C. ONE-FOURTH CONTIGUOUS

The second annexation test stipulates that an annexation is valid if the area is at least twenty-five percent contiguous and if it is needed and can be used by the municipality for its development in the reasonably near future (IC 36-4-3-13). As noted above, the annexation is sixty-four percent contiguous to Fort Wayne. Therefore, it easily meets the contiguity requirements mandated by the second test.

FIGURE 5

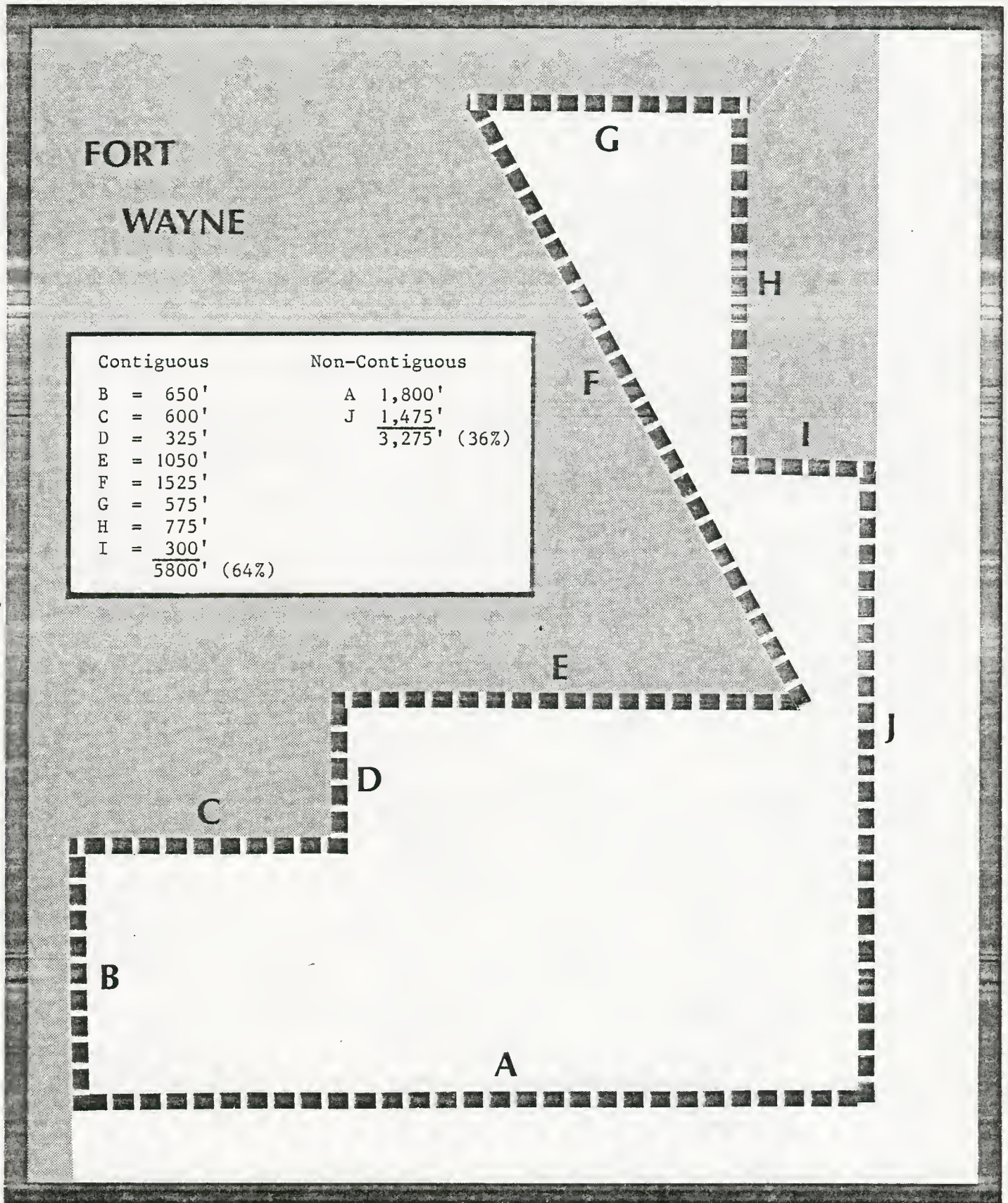
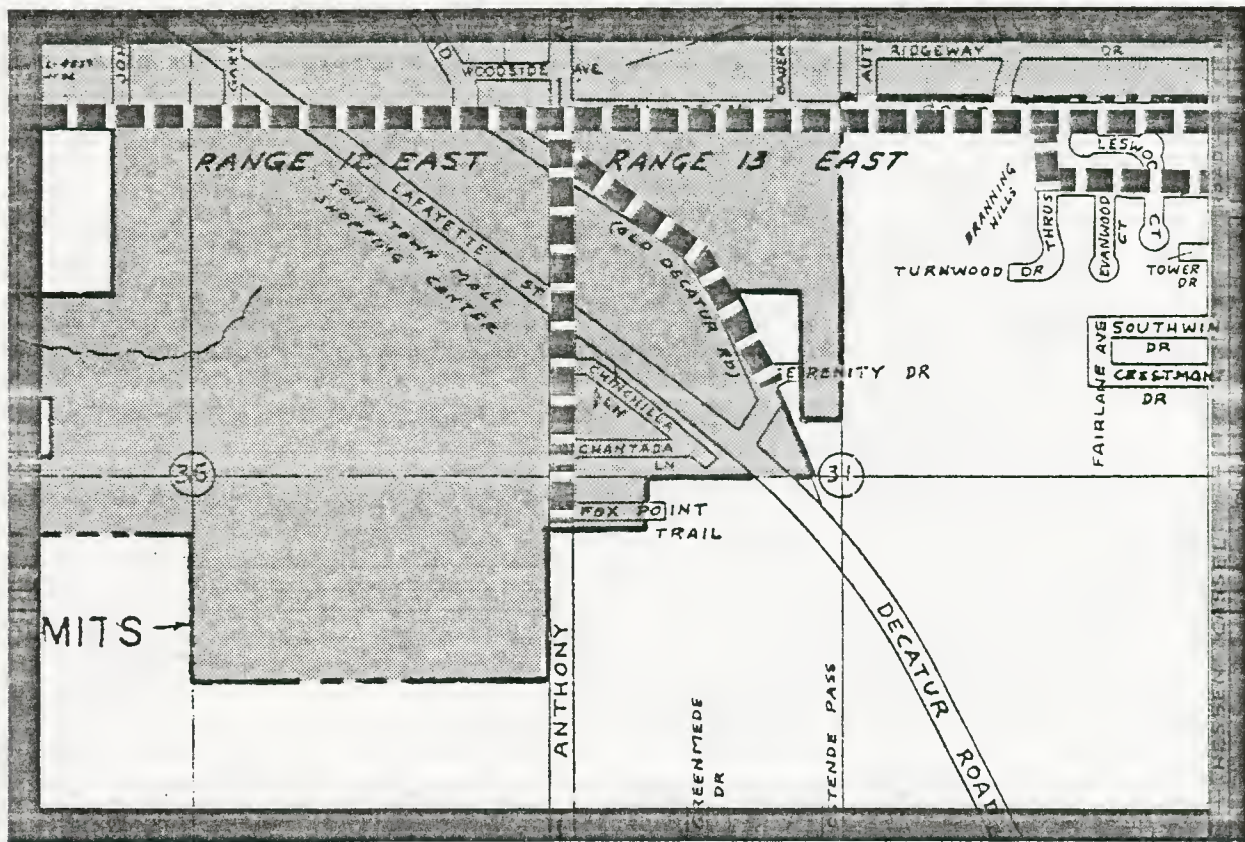


FIGURE 6

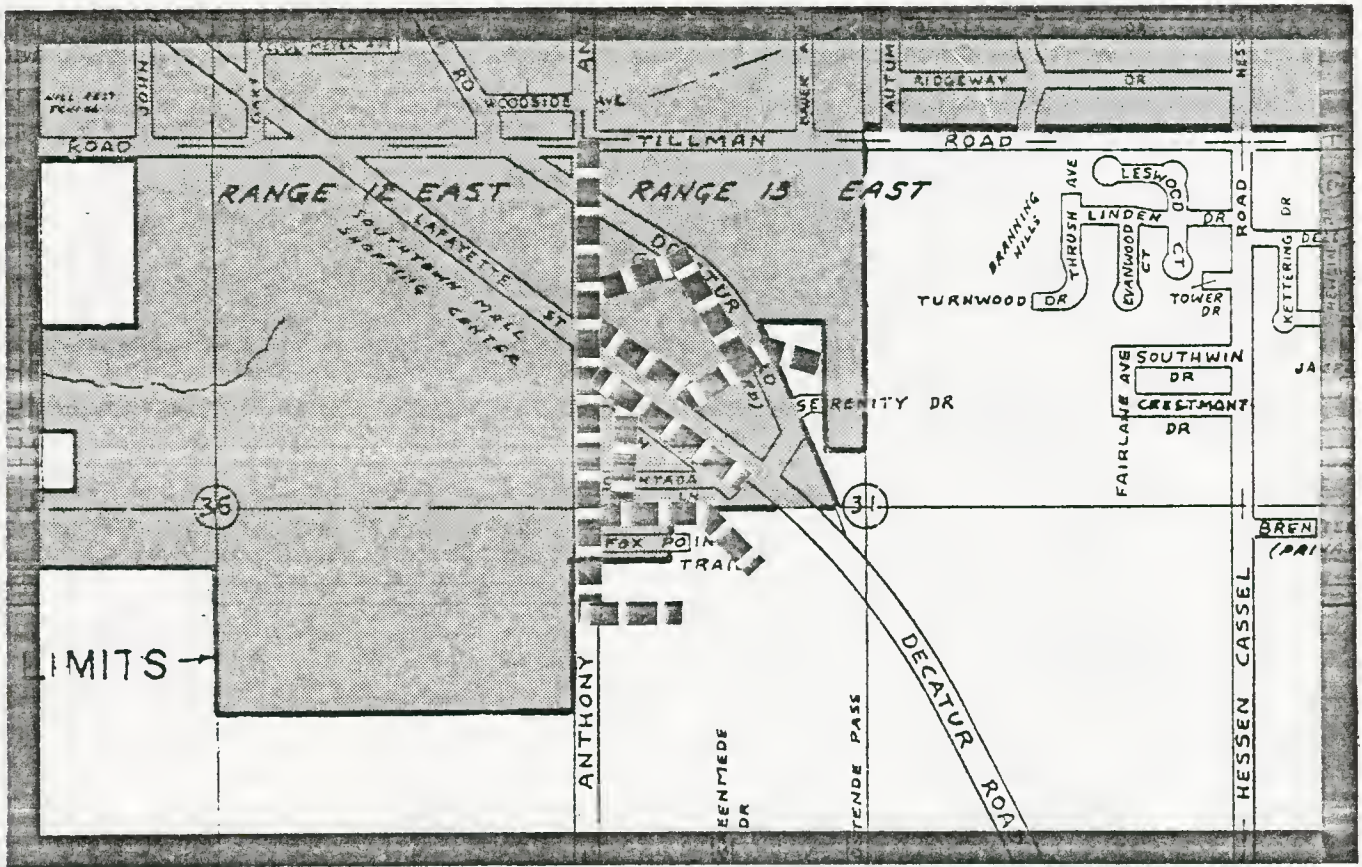


WATER LINES

Having met the contiguity requirement, the area must be needed and can be used by the municipality for its development in the reasonably near future. As will be explained, the Southtowne Square Annexation Area meets this requirement. As Figures 6 and 7 show, the annexation area needs the City of Fort Wayne for the provision of water and sewer facilities. The annexation area is presently served by the Fort Wayne Water Utility and the Fort Wayne Department of Water Pollution Control (WPC). Regarding the latter, it is important to note that in return for receiving sewer services from WPC, the developers of the Southtowne Square and the Villa Capri apartment complexes signed a contract agreeing to waive their right to remonstrate against any attempt by the City to annex this area.

In addition, the City of Fort Wayne needs this area to help it maintain an adequate level of urban services. One of the most serious problems confronting the city is finding ways to maintain urban services at specific minimum levels in the face of declining revenue and population losses. The gravity of this problem can easily be seen when looking at socioeconomic trends in Fort Wayne-Allen County. Fort Wayne's percentage of the total Allen County population has been steadily decreasing. In 1960, the City had 70 percent of Allen County's population; by 1980, that percentage was down to 58 percent (see Table 1). These figures would have been even lower if a number of annexations had not taken place. For example, subtracting the 30,000 people who have been annexed over the past two decades, the 1980 population of Fort Wayne would be 142,196 (a decrease of 19,580 since 1960), while the population for the rest of Allen County would be 152,139 (an increase of 81,719 since 1960).

FIGURE 7



SEWER LINES

These shifts in population, with the resultant loss of income, have made it exceedingly difficult for the City to provide adequate services. Compounding this problem is the fact that the City has been shouldering a disproportionate share of the metropolitan area's social problems. This fact is clearly shown in Table 1. For example, in 1970, the City, with only 63% of the County's population, had 82% of all families in Allen County that received public assistance income. In addition, 77% of all Allen County families that had incomes below the poverty level resided in the city in 1970. Finally, Fort Wayne also had 82% of all families that had a female head of household and 75% of the Allen County population that received social security in 1970.

The impacts of these demographic changes in Fort Wayne-Allen County have been inequitable. Because of the population shifts and the fact that a disproportionate number of the economically disadvantaged live in Fort Wayne, city residents are required to pay higher taxes than suburban residents. However, they are less able to accommodate the higher taxes than their suburban counterparts because, as Table 1 shows, the median family income for the city was \$2,226 less than the median family income for Allen County in 1970. To make matters worse, the evidence suggests that not only do city residents pay higher taxes because they support disproportionate numbers of the economically disadvantaged, but they pay higher taxes because they are also subsidizing a large segment of the suburban population.

Although it is very difficult to document the exact extent of this subsidization, it is clear that, every day, large numbers of suburban residents consume significant quantities of police, fire, park, and street services from the City of Fort Wayne while not paying their fair share. For example, an examination

Table 1

	FORT WAYNE		ALLEN COUNTY (Excluding F.W.)		TOTAL (ALLEN COUNTY)
	POPULATION				
1960	161,776	70.0%	70,420	30.0%	232,196
1970	177,671	63.4%	102,784	36.6%	280,455
1980	172,196	58.5%	122,139	41.5%	294,335
	ELDERLY POPULATION (65+)				
1960	15,245	78.3%	4,230	21.7%	19,475
1970	18,240	76.4%	5,634	23.6%	23,874
1980	20,479	72.9%	7,595	27.1%	28,074
	MEDIAN FAMILY INCOME				
1960	\$ 6,492		\$ 6,732		
1970	\$ 10,401		\$ 12,627		
1980	Not presently available				
	FAMILIES RECEIVING PUBLIC ASSISTANCE INCOME				
1970	1,364	81.7%	306	18.3%	1,670
1980	Not presently available				
	FAMILIES WITH FEMALE HEAD OF HOUSEHOLD				
1970	5,201	81.8%	1,154	18.2%	6,355
1980	11,802	81.6%	2,655	18.4%	14,457
	POPULATION RECEIVING SOCIAL SECURITY INCOME				
1970	18,872	76.3%	5,866	23.7%	24,738
1980	Not presently available				
	FAMILIES WITH INCOMES LESS THAN POVERTY LEVEL				
1970	2,750	76.8%	833	23.2%	3,583
1980	Not presently available				

FORT WAYNE/ALLEN COUNTY SOCIOECONOMIC CHARACTERISTICS

Source: General Social and Economic Characteristics, Indiana (1970),
U.S. Bureau of the Census.
1980 Census of Population and Housing, Indiana (Advance Reports),
U.S. Bureau of the Census.

of the accident reports prepared by the Fort Wayne Police Department for the week of October 4-10, 1981, shows that they responded to 135 accidents in the City. Of the 129 reports in which the address of the person (or persons) involved in the accident could be determined, it was discovered that 44 police runs were made to assist county residents. Thus thirty-four percent of the accident runs made by the Fort Wayne Police Department in this week were made to assist county residents. It is worth noting that the budget of the Police Department is comprised primarily of funds received from the City's General Fund. City residents pay \$2.508 per every \$100 of assessed property valuation for this fund, whereas county residents do not contribute to this fund.

The fact that suburban residents of Fort Wayne require such a large amount of police service may surprise some people, particularly those suburban residents who claim they never use city services. However, it tends to confirm that the City of Fort Wayne is a social, recreational, governmental, economic, educational, and cultural center for the entire metropolitan region and, as such, it provides numerous services to non-city residents.

The bottom line, then, is that the City of Fort Wayne needs the Southtowne Square Annexation Area to help equalize the tax burden which, in turn, will enable the City to continue to provide adequate services to its residents.

The Southtowne Square Annexation Area is also needed by the City of Fort Wayne so that it will have planning and zoning control over the area. This is important because the City, being an urban area, has planning and zoning standards that are more attuned to urban areas adjacent to the City. On the other hand, the county, which has large amounts of agricultural land, has standards that are more attuned to a rural life style.

For example, all residential zones in the county -- RS1, RS2, and RS3 -- allow all uses which are permitted in the Agricultural District (A1). However, the City Zoning Ordinance restricts agricultural uses from its comparable districts (R-1, R-2 and R-3). Also, for some development specifications, such as sidewalks and street lights, the City has more stringent development standards. These differences could be significant for this area, as the developer of the Villa Capri complex had originally planned to construct additional apartment units in the complex. The land for this development is presently vacant and, since the land is not under the jurisdiction of the City, the development standards for this tract of land may not require street lights or sidewalks on both sides of the road, both of which would be required if the development occurs within the City.

It makes sense, of course, to have distinct standards for urban and rural uses. What does not make sense is to allow areas that are within the sphere of influence of Fort Wayne, and which are, or will be, urban in nature, to be subjected to standards which may not be desirable for urban development and which could cause problems in the long run.

The Southtowne Square area is also needed so that the City can provide services more efficiently and safely. The annexation of this area will improve the delivery of services in two ways: First, it will greatly reduce problems associated with irregular boundaries, and second, it will enable the city to take advantage of economies of scale.

Regarding the first point, service providers who are confronted with irregular and confusing boundaries react in one of two ways: they provide services, or they don't provide services. As a result, many areas which are on the border between the city and the county, and which have irregular boundaries, may be receiving too few or too many services. This problem is particularly relevant for the Southtowne Square area. The two apartment complexes in the annexation area are cut in two by the city limits line. Figure 8 shows the irregular boundaries of the area, particularly where they cut through the Villa Capri complex. As can be seen, the complex consists of 17 units and the clubhouse. Four of the apartment buildings are within the city limits, while 13 buildings and the clubhouse are outside the city. Not surprisingly, this can cause confusion among service providers and in October of 1982, a Fort Wayne policeman responded to a domestic dispute which occurred in one of the buildings outside of the city. As bad as this situation is, it is even worse when looking at the Southtowne Square apartment complex. As Figure 9 illustrates, the city limits line runs through one of the apartment buildings! This is a potentially dangerous situation which can be easily solved by the annexation of this area. Therefore, this annexation is needed for the safety and welfare of the inhabitants of the annexation area.

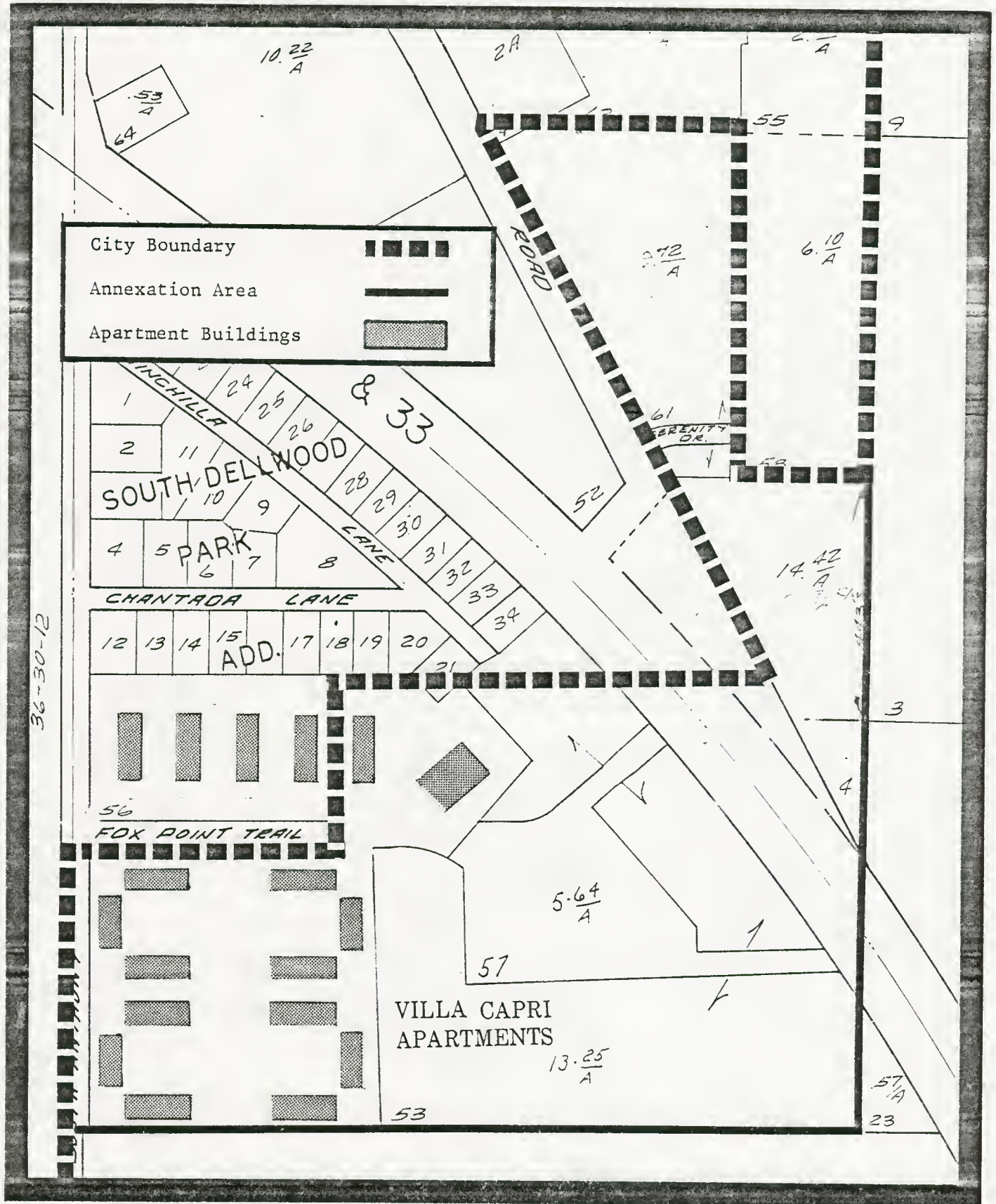
The second point, economies of scale, works something like this: If the City of Fort Wayne invests in a fire station, a truck, and the minimal manpower necessary to respond to a fire 24 hours a day, it is most efficient to utilize these resources to their fullest capacity. Therefore, if such a hypothetical station has a range of response of three miles in all directions and the jurisdiction of the station is limited to two miles, the station is being under-utilized. This is inefficient and increases the cost of fire protection for the entire area. In fact, this is the case in the Southtowne Square area. Both the Fort Wayne Police and Fire Departments have stated that they can provide services to the Southtowne Square area with no increase in manpower and with minimal or no increases in expenditures. Therefore, the annexation of this area will enable both departments, as well as other service agencies, to utilize their excess capacity, and will reduce the cost of services for the thousands of Fort Wayne residents who are presently paying for this excess capacity.

In view of these facts, it is clear that the annexation of the Southtowne Square area is a rational and reasonable attempt by the City of Fort Wayne to alleviate many of the problems confronting it.

D. CONCLUSION

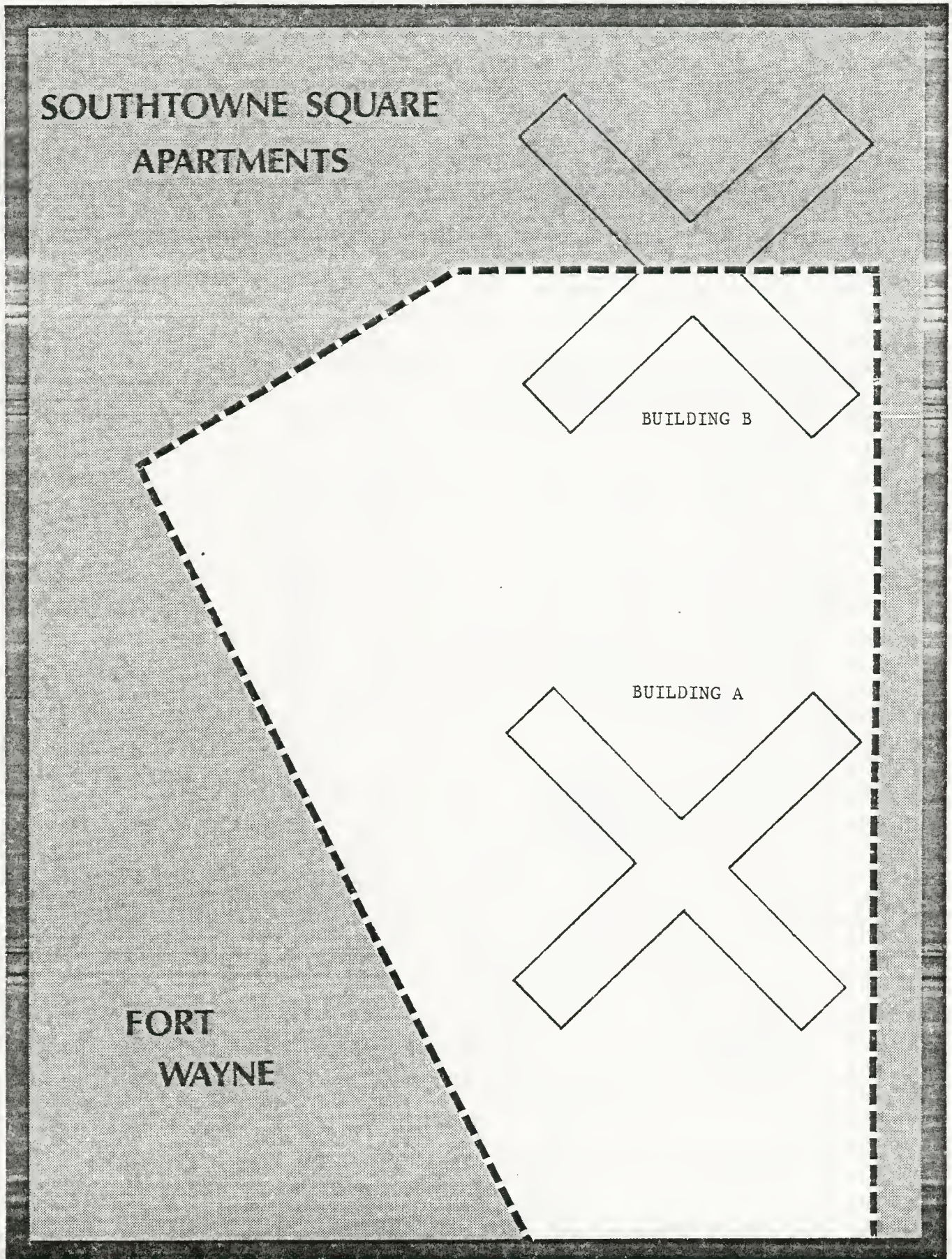
The Southtowne Square Annexation Area should be annexed into the City of Fort Wayne because it meets the annexation test that has been established by the State Legislature: The annexation area is sixty-four percent contiguous to the city and has a population density which is more than five times higher than that required by state law. In fact, this area has a population density higher than most areas that are already within the city and its population density is higher than any of the last 15 annexations to the City of Fort Wayne. In addition, the area is more than twenty-five percent contiguous, and is needed by the City for its growth and development in the reasonably near future. In this regard, the proposed annexation area is more urban than many areas that are already within the city limits.

FIGURE 8



IRREGULAR BOUNDARIES

FIGURE 9



Recently, there has been considerable concern expressed about the closing of the International Harvester Plant. Even though this company is not located in the City, most people realize that the closing of this plant would create a considerable adverse impact throughout the entire metropolitan region. Yet, as harmful as the closing of the International Harvester Plant may be, its impact would be miniscule when compared to the impact that the metropolitan region would face if the City of Fort Wayne would be unable to provide adequate services to its businesses and residents. If, due to inadequate services and a lack of amenities, the City could not attract and retain businesses and residents, the adverse impact upon the suburban areas would be staggering. In such a case, even those residents who argue that they should not pay higher taxes because they do not use city services would be quick to realize, through the loss of their jobs and the depreciation of their property, that they are members of the metropolitan community and that their prosperity is dependent in large part upon the continued prosperity of Fort Wayne.

Because the City of Fort Wayne is cognizant of this mutual interdependence, it has devised an annexation program. This program has been devised to ensure that the City continues to prosper or, at least, does not decline. Annexation will reduce the inequities that exist by ensuring that suburban residents pay for their fair share of urban services. In turn, the rates paid by city residents will be reduced because they will not be subsidizing "free riders". Finally, the annexation program will enable the city to provide the urban services that are so essential to the economic well-being of the metropolitan region. Thus, the City of Fort Wayne needs the Southtowne Square Annexation Area so that it can develop into a more responsive city fiscally, economically, socially, and culturally.

SECTION FOUR - MUNICIPAL SERVICES

This section of the fiscal plan forecasts the costs and methods of financing services for the Southtowne Square Annexation Area. The plan also describes how and when the City plans to extend the services of non-capital and capital improvement natures. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana State Law.

The municipal services described in this section are analyzed according to the needs of the Southtowne Square Annexation Area, along with the costs of providing these services and the funding sources. As required by state law, the annexation area will be treated equally with other City areas and will receive urban services in the same manner as other areas within the City. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. The City of Fort Wayne will provide services of a non-capital nature, including police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance within one year after the effective date of annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which include petitioning and financial participation by property owners. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies. Existing facilities of the Fort Wayne Parks and Recreation Department will also be available to residents of the area upon annexation. Park development within the annexation area is contingent upon the park planning standards and methods used throughout the City.

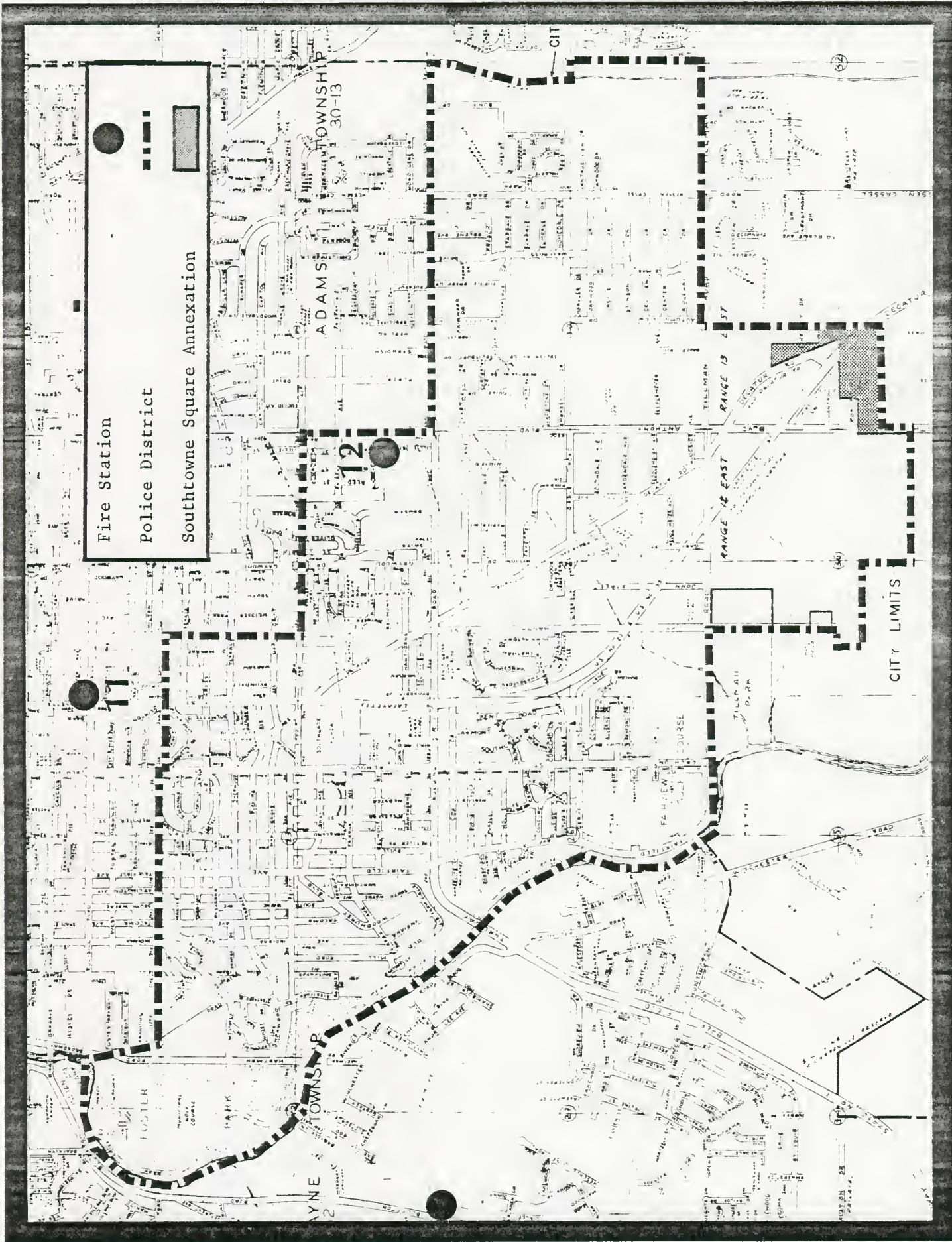
A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, and resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 9 will be expanded to cover the Southtowne Square Area (see Figure 10). The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. A maximum number of 11 patrols is forecast for the annexation area within a 24-hour period. The A & C shifts will make a maximum of four patrols while the B shift will make a maximum of three patrols. Even though there will be daily variations, the Chief of Police will routinely monitor the situation and will make the necessary adjustments in patrol districts, patterns, and manpower so that response time to high priority calls will be approximately three minutes -- which is standard for the City.

The costs to provide police protection to the annexation area will be \$602.25 a year. This cost is based on a maximum of eleven patrols in a 24-hour period. To arrive at the total cost for police services, the number of street miles

FIGURE 10



in the annexation area are calculated and multiplied by the travel cost per mile. Funding for police services in the annexation area will come from the regular Police Department budget which is derived primarily from local property taxes through the General Fund.

ESTIMATED ANNUAL COST: \$602.25

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing services to the Southtowne Square Annexation Area within one year after the annexation date. The services provided include fire protection and suppression, emergency rescue, and fire prevention. The first responding fire company will be from Station 12 at 5300 S. Anthony Boulevard. If needed, backup response will come from Station 11 at 305 E. Rudisill Boulevard.

This particular annexation will not require a new fire station nor will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, and gasoline. However, the operating costs will be minimal considering the Southtowne Square Annexation Area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

ESTIMATED ANNUAL COST: \$0

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Fort Wayne Emergency Medical Services is the only provider of ambulance service to City residents. Southtowne Square annexation area residents may receive full advanced life support ambulance service immediately upon annexation. Residents of this area are not guaranteed availability of advanced life support ambulance service until 1) annexation has occurred or 2) the Adams Township Trustee enters into a system participation agreement with the Three Rivers Ambulance Authority (upon annexation, this agreement is not necessary).

Using service run records of the past several years, as many as six EMS ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 12. Secondary assistance from the Fire Department will come from Station 11. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, firemen are able to administer medical treatment to residents before the ambulance arrives.

The method of financing Emergency Medical Services is based primarily on user fees plus a small, decreasing city tax subsidy, which over the next few years, should drop to zero leaving user fees as the sole financial support of the system.

The charges for ambulance service (as of June 1, 1983) are:

1. \$75.00 plus \$3.00 per loaded mile for non-emergency transfers scheduled 24 hours in advance
2. \$87.00 plus \$3.00 per loaded mile for non scheduled non-emergency transfers
3. \$130.00 plus \$3.00 per loaded mile for non-life threatening emergencies
4. \$250.00 plus \$3.00 per loaded mile for life-threatening emergencies.

This method of financing permits EMS service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to solely service the annexation area.

ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to the annexation area within one year after the annexation date. The City currently contracts with National Serv-All and SCA Services of Indiana to provide this service. The proposed annexation area will be served by National Serv-All. According to the contract, the City is charged \$33.96 per household per year by National Serv-All for each additional housing unit added through annexation. Since the Southtowne Square annexation area contains 280 units, garbage disposal for the area will cost the City \$9,508.80 a year. The collection service will be financed by the City's Garbage Disposal Fund which comes from the General Fund. Figure 11 shows the service area of SCA and National Serv-All.

ESTIMATED ANNUAL COST: \$9,508.80

E. TRAFFIC CONTROL

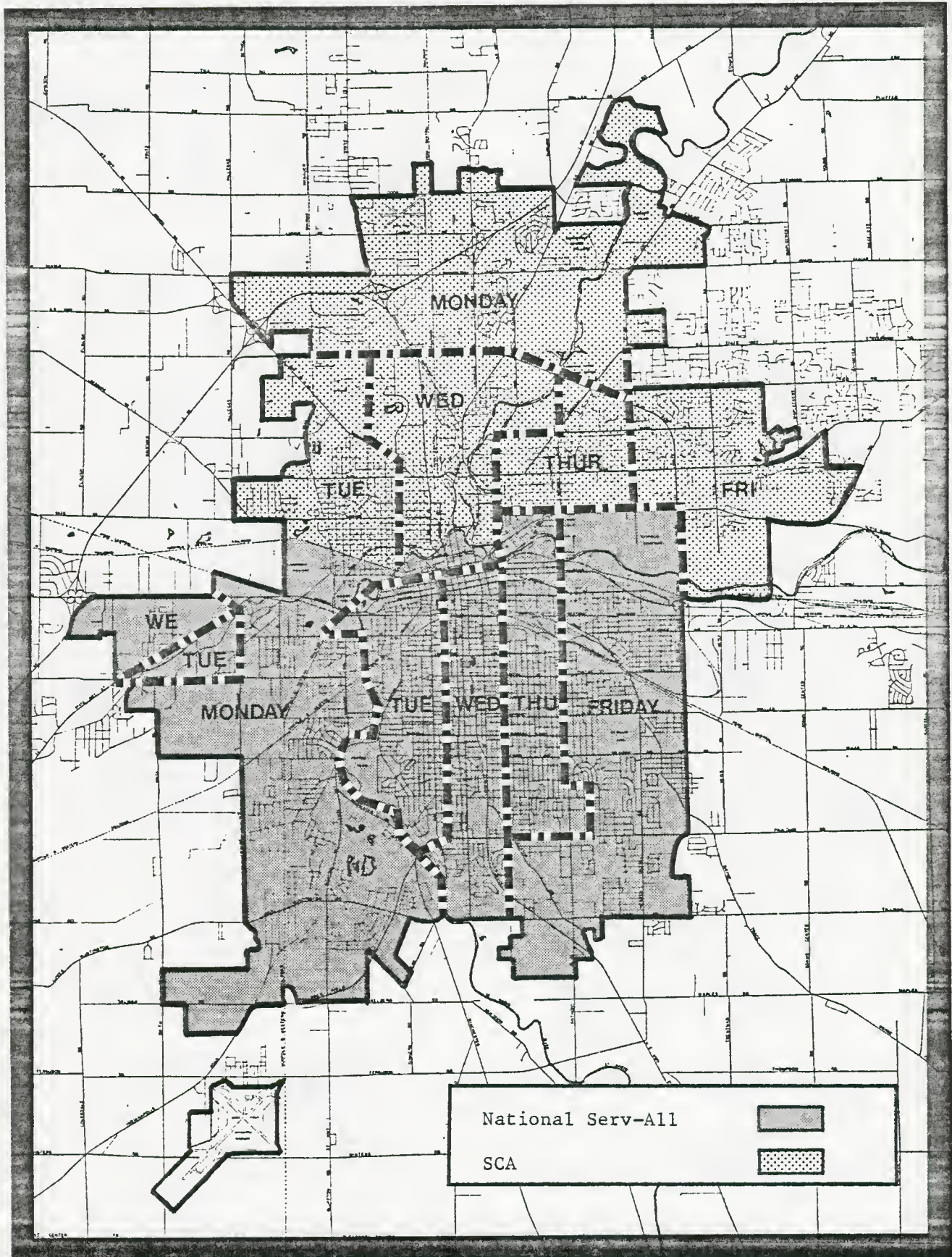
The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area within one year after the annexation date. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

The Traffic Engineering Department will not require additional personnel to perform its services in the Southtowne Square Annexation Area. Operating costs will be \$160.80 for a paint program to line South Anthony Boulevard. Capital and labor costs will be \$66.20 for the installation of street signs. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MVH) funds, and Revenue Sharing funds.

CAPITAL COSTS: \$66.20

ESTIMATED ANNUAL COST: \$160.80

FIGURE 11



SOLID WASTE DISPOSAL

Table 2

<u>SIGN</u>	<u>SIZE</u>	<u>NO. REQUIRED</u>	<u>COST</u>	<u>TOTAL COST</u>
Begin	24 x 6	1	\$10.35	\$10.35
Speed Limit 45	24 x 30	1	\$23.50	<u>\$23.50</u>
Total				\$33.85
<u>Posts</u>				
12' 3 lb.		1	\$15.65	<u>\$15.65</u>
Total				\$15.65
Labor: \$16.70				
GRAND TOTAL LABOR				
AND MATERIAL: \$66.20 (for signing)				

STREET SIGNS

F. STREETS AND ROADS

The incorporation of the annexation area will add .157 miles of state highways, .125 miles of arterial streets, and .05 miles of collector streets to the City's street system (see Table 3). Both the state highway and the arterial street are in good condition. With the exception of the state highway, which is the responsibility of the state, and the private streets in the apartment complexes, the Fort Wayne Street Department will be responsible for the general maintenance of the streets in the annexation area within one year after the annexation date (see Figure 12). The Street Department will provide snow and ice removal, leaf pick-up, and surface maintenance. The Street Department will also provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be similar to those services already provided to the rest of the City. The average cost of general street maintenance is \$2,500 per mile of street per year, so the annexation will cost the City approximately \$437.50 a year in street maintenance costs. The source of funding for street maintenance is the Street Department budget which is composed of funds from Motor Vehicle Highway (MVH), Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) programs.

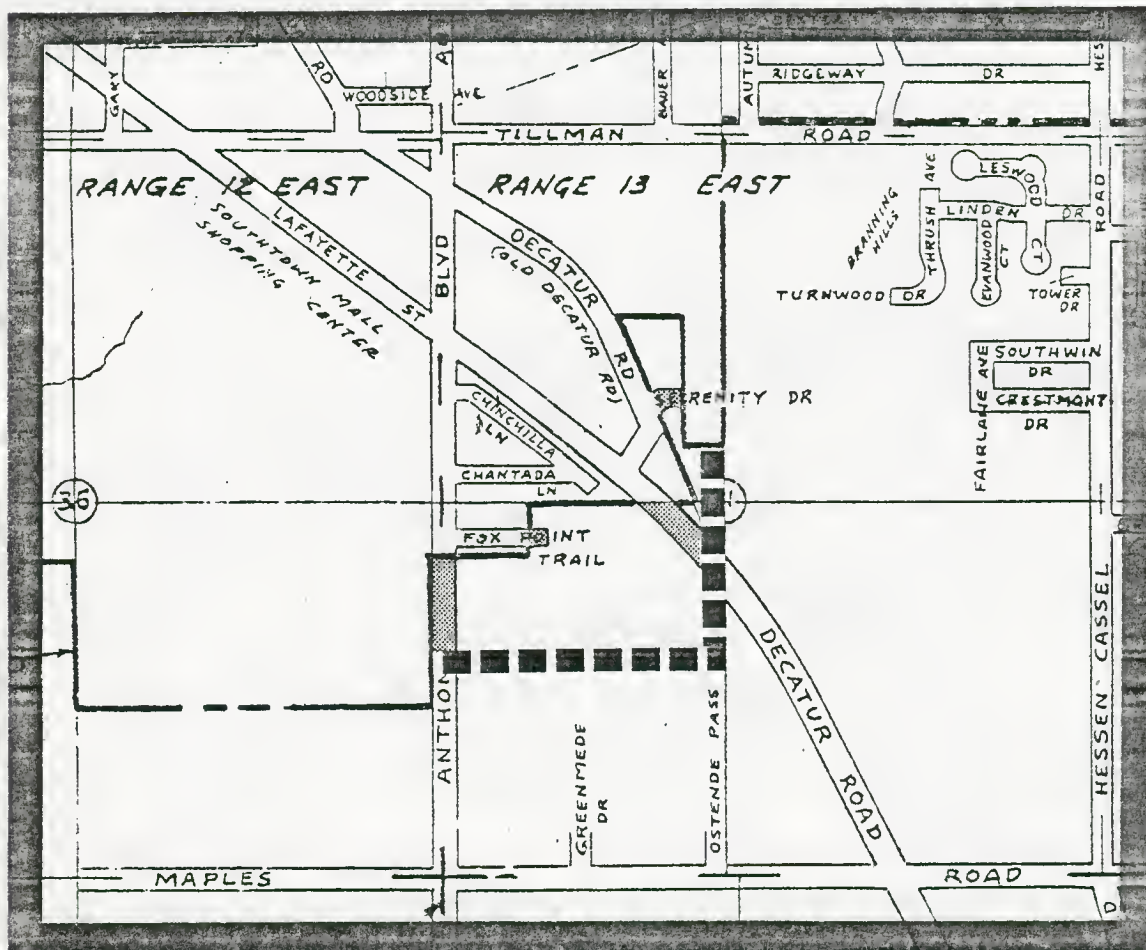
Besides the maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS. The cost to improve residential streets is split between the property owners petitioning for the improvements and the City. The City's share will come from Motor Vehicle Highway funds. All petitions from

Table 3

STREET	CLASSIFICATION
South Anthony Boulevard	Arterial
Decatur Road	State Highway
Serenity Drive	Collector
Fox Point Trail	Collector

ROAD CLASSIFICATION

Figure 12



STREET MAINTENANCE

the annexation area will be treated equally with other petitions in the City and honored according to the same criteria such as filing date and the amount of money available in any particular year. If annexed, the residents will be able to use Barrett Bonding as a capital source to finance their share of the street project.

ESTIMATED ANNUAL COST: \$437.50

G. PARKS

Residents of the annexation area presently have access to City park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. After annexation, they will continue to have access to these facilities and, through the property tax, will contribute to their maintenance.

ESTIMATED ANNUAL COST: \$0

H. WATER

The Fort Wayne water utility is presently serving the annexation area (see Figure 6). If requested, the utility has the capacity and the capability to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services. The extension of water services to individual developments will be considered once the property owners in the area petition for such service. This procedure is the same as that being uses by areas within the City. The property owners in the area must also finance the cost of the installation on either a cash basis, or with a mechanism similar to Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten-year period.

ESTIMATED ANNUAL COST: \$0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$165.75 annually for each fire hydrant located within the City. However, the only hydrants in the annexation area are privately owned and maintained by the two apartment complexes. Upon annexation, the rate paid to City Utilities will be minus the thirty-five percent surcharge the private owners are presently paying for out-of-city service.

ESTIMATED ANNUAL COST: \$0

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to part of the annexation area (see Figure 7). The Department of Water Pollution Control's Master Plan calls for the St. Mary's-Muldoon Sanitary Sewer to serve the annexation area. This project is being reviewed by the Environmental Protection Agency (EPA) for funding. If EPA funding is not granted, property owners can petition WPC for this service. If residents

petition for sewers, they will have to pay for their installation. However, upon annexation, residents will be able to take advantage of the Barrett Bonding process. Barrett Bonding permits residents to make long-term, low interest payments for their sewers.

ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the residents of the annexation area. It is the City's policy that the financing of storm sewers be the responsibility of property owners. Residents can pay through Barrett Law Assessments which allows payment over a ten year period at an interest rate lower than that available on the open market.

When the Board of Works receives a petition from the affected property owners, it will direct the Department to make an investigation of storm drainage conditions. Upon completion of the study, a contract for storm drainage construction may be let by the Board of Works. As Figure 12 shows, there are already some storm sewers in the annexation area.

ESTIMATED ANNUAL COST: \$0

L. STREET LIGHTING

The Street Lighting Department will be responsible for maintaining and operating street lights in the annexation area. Presently, there are no street lights in the annexation area. If street lighting is desired, a valid petition must be filed. Once the petition has been received by the City, it will be placed on a waiting list. When street lights have been constructed for all requests that were received prior to the petition from the annexation area, construction will begin as soon as funds are available. The City will pay for the construction costs.

However, if residents desire ornamental street lighting (which also includes underground wiring), they will be responsible for paying the difference between regular street lights and ornamental street lights.

ESTIMATED ANNUAL COST: \$0

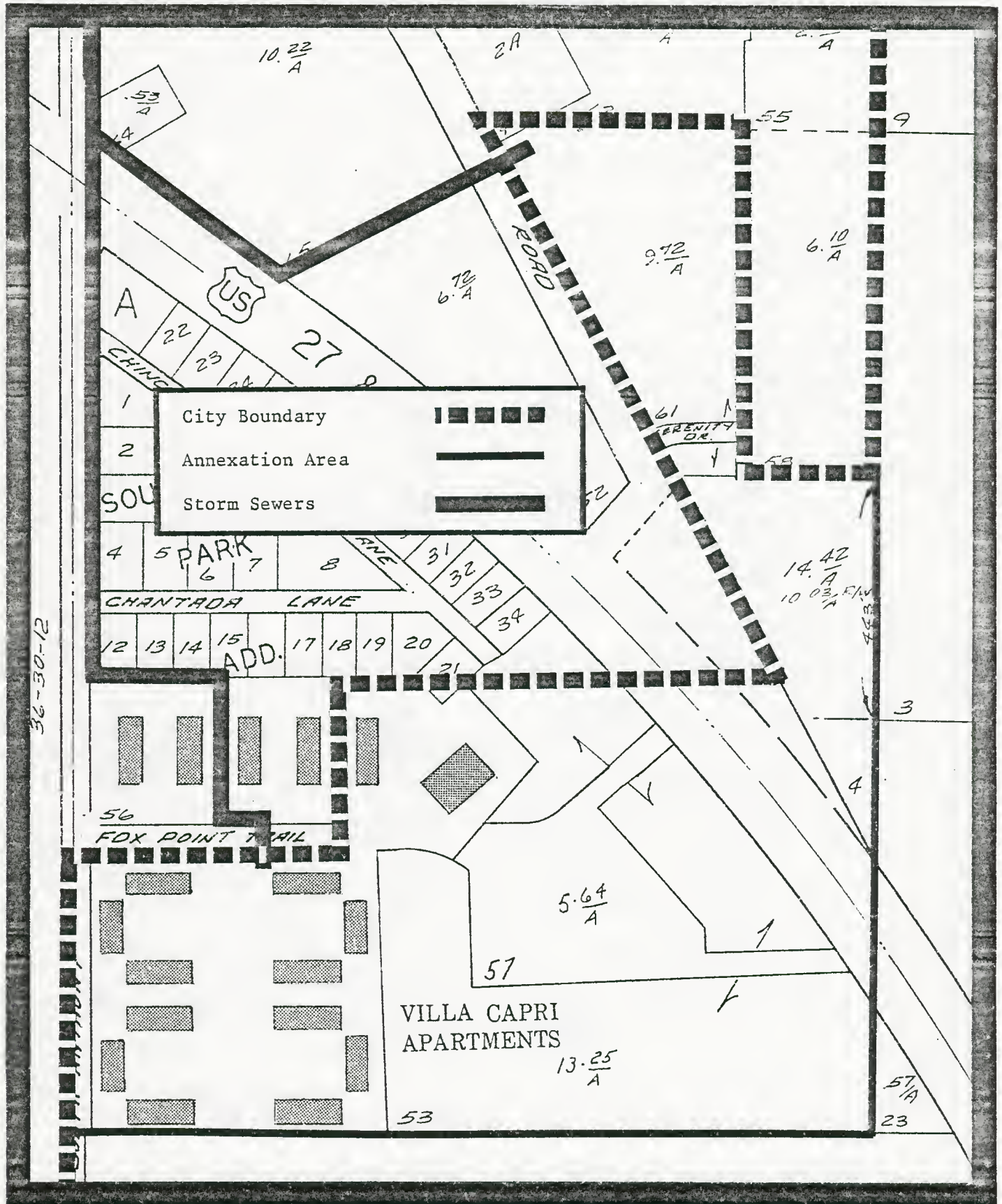
M. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Southtowne Square Annexation Area within one year after the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, etc. General administration includes all the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the bugetary period. Therefore, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the Federal Governments.

ESTIMATED ANNUAL COST: \$0

FIGURE 13



STORM SEWERS

SECTION FIVE - FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to report the revenues and expenditures from the proposed Southtowne Square annexation. This section will also provide a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Southtowne Square Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Adams Township Assessor. The formula for computing tax revenue is shown in Table 3.

Table 4

$$\frac{V-E}{100} (T) = TR$$

Where: V = Assessed Valuation
 E = Home Mortgage Exemption (\$1,000)
 T = Tax Rate
 TR = Tax Return

TAX REVENUE FORMULA

The total assessed valuation of the proposed Southtowne Square annexation is \$1,409,610. Next, a home mortgage exemption is deducted from this total. However, since there are no homes in the annexation area, this step is not applicable in this instance. Therefore, the \$1,409,610 is then computed with the City's present tax rate less that part the residents are presently paying (the tax rate (see Table 4) is 3.8421. However, property owners in this area are already paying the Public Transportation and the Transportation Bond taxes. Subtracting these rates from the total rate leaves a tax increase of \$3.732. In addition, the residents are presently paying a tax of .2063 for parks and recreation. Upon annexation, they will no longer have to pay this tax).¹ The computation equals \$52,607 in property tax revenues. Finally, a 20 percent individual tax credit is deducted from this figure. Therefore, the total amount of property tax revenue that will be paid by residents of this area will be \$42,085. The 20 percent deduction will be returned to Fort Wayne by the state with revenues raised by the state sales tax. The total revenues received by the City from this annexation will be \$52,607 when the property tax relief revenues from the state are received.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) funds. This is because these funds are allocated according to street miles. In 1982, the City received \$3,573 per street miles from the MVH fund and \$1,802 from the LARS fund. The annexation area will add .332 miles to the City's street system. Therefore, the City will receive an additional \$1,186 from MVH and an additional \$598 from LARS because of the Southtowne Square annexation.

Table 5

FUND	TAX RATE
Corporation General	\$2.5083
Redevelopment General	.0062
Sewer Fund	.0614
Corporation Bond	.4400
Fire Pension	.1507
Police Pension	.1710
Park General	.3780
Sanitary Officers Pension	.0164
Public Transportation	.1051
Transportation Bond	.0050
Total	<u>\$3.8421</u>

TAXING DISTRICT RATE

In addition to property taxes and highway funds the City receives revenues from Federal Revenue Sharing funds, the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Southtowne Square annexation cannot be calculated. Still, these funds will increase with city population increases.

B. EXPENDITURES

Expenditures that were reported in the section on Municipal Services are summarized in Table 5. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the annexation area must be treated equally with the needs of other areas in Fort Wayne, capital improvement projects such as the installation of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Southtowne Square Annexation Area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years an 3.9% inflation factor for municipal expenditures, and a 5% increase factor for City revenues. The 3.9% inflation factor is the rate of inflation from December 1981 to December 1982 as calculated by the U.S. Department of Labor. The revenue factor is derived from the percent increase of assessed valuation in Indiana. This increase is applied to the City's allowed levy ceiling.

Table 6

DEPARTMENT	CAPITAL COSTS	OPERATING COSTS
Police	\$.00	\$ 602.25
Fire	\$.00	\$.00
EMS	\$.00	\$.00
Solid Waste Disposal	\$.00	\$ 9,508.80
Traffic Control	\$66.20	\$ 160.80
Streets	\$.00	\$ 437.50
Street Lighting	\$.00	\$.00
Parks	\$.00	\$.00
Water	\$.00	\$.00
Fire Hydrants	\$.00	\$.00
Sanitary Sewer	\$.00	\$.00
Storm Sewer	\$.00	\$.00
Admin. Functions	\$.00	\$.00
Total	<u>\$66.20</u>	<u>\$10,709.35</u>

EXPENDITURES

Table 6 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area.

Property tax revenue from the annexation area will not be collected until 1985. Assuming the area is annexed in 1983, assessment will not occur until March of 1984, with revenues being collected in 1985. Since revenues are not collected for one year after the effective date of the annexation, the City will experience a loss of \$10,776 in 1984, however, this loss will be offset by an additional \$1,784 in highway funds.

Table 7

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS FUNDS	BALANCE
1984	\$10,776		\$1,784	-\$ 8,992
1985	\$11,127	\$55,237	\$1,784	+\$ 45,894
1986	\$11,561	\$57,999	\$1,784	+\$ 48,222
1987	\$12,012	\$60,899	\$1,784	+\$ 50,671
1988	<u>\$12,480</u>	<u>\$63,944</u>	<u>\$1,784</u>	<u>+\$ 53,248</u>
Total	<u>\$57,956</u>	<u>\$238,079</u>	<u>\$8,920</u>	<u>+\$189,043</u>

REVENUES MINUS EXPENSES

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Southtowne Square annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1983.

Footnotes

1. The tax increase referred to (3.732) refers to the tax revenues which will be received by the City of Fort Wayne or one of the special districts operating within Fort Wayne. This should not be confused with the total tax increase which was mentioned in Section One (3.3497). Table 7 shows why the two increases will not be the same. Although the residents will have a city tax increase of 3.732, they will no longer have to pay for township EMS and township fire protection services as well as for the township debt. In addition, they will no longer have to pay a tax rate of .2063 for park and recreation services. Therefore the total decrease of these services is .3823. Subtracting this total from the city tax increase gives a total tax increase of 3.3497.

Table 8

		ADAMS TRANSIT	FORT WAYNE ADAMS
STATE	State Fair Board	.0035	.0035
	State Forestry	.0065	.0065
	TOTAL STATE	.01	.01
COUNTY	County General	.7735	.7735
	County Welfare	.3136	.3136
	County Health	.0480	.0480
	Cumulative Bridge	.0730	.0730
	County Bonds	.0470	.0470
	TOTAL COUNTY	1.2551	1.2551
TOWNSHIP	Township General	.0130	.0130
	Poor Relief	.0300	.0300
	Fire Protection	.1150	
	Township Debt	.0360	.0360
	Township M.S.	.0250	
	TOTAL TOWNSHIP	.2190	.0430
SCHOOLS	School General	2.6890	2.6890
	School Debt	1.0262	1.0262
	Cumulative Building	.4000	.4000
	School Transportation	.2938	.2938
	TOTAL SCHOOL	4.4090	4.4090
LIBRARY	Library Operating	.2875	.2875
	Library Bond	.0305	.0305
	TOTAL LIBRARY	.3180	.3180
CITY AND SPECIAL TAXING DISTRICT	Corporation General		2.5083
	Redevelopment General		.0062
	Sewer Fund		.0614
	Corporation Bond		.4400
	Fire Pension		.1507
	Police Pension		.1710
	Park General		.3780
	Sanitary Officers Pen.		.0164
	Public Transportation	.1051	.1051
	Transportation Bond	.0050	.0050
	Park & Recreation -N.H.	.2063	
	TOTAL CITY AND SPECIAL DISTRICT	.3164	3.8421
	TOTAL TAX RATES	6.5275	9.8772

TOTAL TAX RATE



The City of Fort Wayne

August 30, 1983

Ms. Mary Gabet
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Gabet:

Please give the attached full coverage on the dates of
September 2 & September 9, 1983, in both the News Sentinel
and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-83-08-30
Annexation of Southtowne Square

Please send us 5 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

BILL NO. X-~~82~~⁸³⁻⁰⁸⁻³⁰ANNEXATION ORDINANCE NO. X-05-83

AN ORDINANCE annexing certain territory commonly known as the Southtowne Square Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the south right-of-way line of Tillman Road with the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south on the east line of the west one-half of Section 31, Township 30 North, Range 13 East to its intersection with the south line of the north one-half of the northwest quarter of said Section 31; thence continuing south along said east line of the west one-half of Section 31 a distance of 887 feet to the point of beginning. Beginning at the above described point; thence south along the east line of the west half of Section 31, Township 30 North, Range 13 East to the south right-of-way line of U.S. Highway #27; thence continuing south along said east line a distance of 240 feet; thence south 87 degrees 53 minutes west to the west right-of-way line of South Anthony Boulevard; thence north along the west right-of-way line of South Anthony Boulevard to a point on the present City limits line as described in ordinance X-31-69, said point being 330 feet south of the south line of South Dellwood Park, Section A; thence north 87 degrees 49 minutes east along the present City limits line as described in ordinance X-31-69 a distance of 585 feet; thence north 1 degree 37 minutes west along the present City limits line as described in ordinance X-31-69 to its intersection with the south line of the northwest quarter of Section 31; thence east along the south line of the northwest quarter of Section 31 to its intersection with the east right-of-way of Old Decatur Road; thence in a northwesterly direction along the east right-of-way of Old Decatur Road to its intersection with the south line of the north one-half of the northwest one quarter of Section 31; thence east along the south line of the north one-half of the northwest one quarter of Section 31 to a point located 339.33 feet west of the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south along the present City limits as described in ordinance X-02-81 a distance of 870.8 feet; thence south 87 degrees 16 minutes east a distance of 339.72 feet to the point of beginning, containing 54 acres of land, more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date

1
2 of annexation, planned services of a non-capital nature, including police
3 protection, fire protection and street and road maintenance, in a manner
4 which is equivalent in standard and scope to those non-capital services
5 provided to areas within the City of Fort Wayne which have similar topography,
6 patterns of land utilization and population density to the said described
7 territory. The City of Fort Wayne will also provide services of a capital
8 improvement nature, including street construction, street lighting, sewer
9 facilities, water facilities and stormwater drainage facilities to the
10 annexed territory within three (3) years of the effective date of annexation,
11 in the same manner as such services are provided to areas already in the
12 City of Fort Wayne with similar topography, patterns of land utilization
13 and population density, and in a manner consistent with federal, state and
14 local laws, procedures and planning criteria.

15 SECTION 3. That governmental and proprietary services will be
16 provided to the above described territory in a manner consistent with the
17 written Fiscal Plan for the territory developed by the Department of
18 Community Development and Planning. Said Plan was examined by the Common
19 Council of the City of Fort Wayne and is approved and adopted by the Common
20 Council by and upon the passage of this Ordinance.

21 SECTION 4. That said described territory shall be a part of
22 City Councilmanic Political Ward No. 6 of the City of Fort Wayne, Indiana,
23 as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code
24 of the City of Fort Wayne, Indiana of 1974, as amended.

25 SECTION 5. That after its passage, due legal publication, any
26 and all necessary approval by the Mayor and the required sixty (60) days
27 remonstrance period, this ordinance shall be in full force and effect on
28 December 31, 1983.

29 
COUNCILMEMBER

31 APPROVED AS TO FORM AND LEGALITY

32 
BRUCE O. BOXBERGER, CITY ATTORNEY

Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen

County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE

or exceed two actual lines, neither of which shall total more than four solid lines
which the body of the advertisement is set) - number of equivalent lines

1

195

2

198

of lines in notice

COM

1 columns wide equals 198 equivalent lines at .323¢ \$63.95

ces containing rule or tabular work (50 per cent of above amount)

publication (50 cents for each proof in excess of two) 3 extra 1.50

NT OF CLAIM. \$65.45

9.6 picas

Size of type 6 point

2

Size of quad upon which type is cast. 6.....

Pursu:

I herel
has be

Date ..

Section 4. That said described territory shall be a part of City Councilmanic Political Ward No. 6 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

Section 5. That after its passage, due legal publication, any and all necessary approval by the Mayor and the required sixty (60) days remonstrance period, this ordinance shall be in full force and effect on December 31, 1983.

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayas: Nina
Bradbury, Burns, Eisbart, Gie-
Quinte, Schmidt, Schomburg,
Scruggs, Stier, Talarico
Nays: None
Date: 8-23-83

Sandra E. Kennedy
City Clerk
Passed and adopted by the
Common Council of the City of Fort
Wayne, Indiana, as Annexation
Ordinance No. X-05-83 on the 23rd
day of August, 1983.

Attest:
Sandra E. Kennedy
City Clerk

Ben A. Eisbart
Presiding Officer
Presented by me to the Mayor of
the City of Fort Wayne, Indiana, on
the 24th day of August, 1983, at the
hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk
Approved and signed by me this
26th day of August, 1983, at the hour
of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor
I, The Clerk of the City of Fort
Wayne, Indiana do hereby certify
that the above and foregoing is a full,
true and complete copy of Annexa-
tion Ordinance No. X-05-83 passed
by the Common Council on the 23rd
day of August, 1983, and that said
Ordinance was duly signed and
approved by the Mayor on the 26th
day of August, 1983 and now
remains on file and on record in my
office.

Witness my hand, and the official
seal of the City of Fort Wayne,
Indiana, this 26th day of August,
1983.

Sandra E. Kennedy
City Clerk

of Ch. 89, Acts 1967.

nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, saysthat she is CLERK of theNEWS-SENTINELa DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANA
townin state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for two times, the dates of publication being
as follows:9/2 - 9/9/83Subscribed and sworn to me before this 9th day of September 19 83Anne M. Perkins

Notary Public

My commission expires November 29, 1985

LEGAL NOTICE
Notice is hereby given that on the 23rd day of August, 1983, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-83-08-30 Annexation Ordinance to-wit:
BILL NO. X-83-08-30
ANNEXATION ORDINANCE
NO. X-05-83
An ordinance annexing certain territory commonly known as the Southtowne Square Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 6.
Be it ordained by the Common Council of the City of Fort Wayne, Indiana:
Section 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
Commencing at the intersection of the south right-of-way line of Tillman Road with the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south on the east line of the west one-half of Section 31, Township 30 North, Range 13 East to its intersection with the south line of the north one-half of the northwest quarter of said Section 31; thence continuing south along said east line of the west one-half of Section 31 a distance of 887 feet to the point of beginning. Beginning at the above described point; thence south along the east line of the west half of Section 31, Township 30 North, Range 13 East to the south right-of-way line of U.S. Highway #27; thence continuing south along said east line a distance of 240 feet; thence south 87 degrees 53 minutes west to the west right-of-way line of South Anthony Boulevard; thence north along the west right-of-way line of South Anthony Boulevard to a point on the present City limits line as described in ordinance X-31-69, said point being 330 feet south of the south line of South Dellwood Park, Section A; thence north 87 degrees 49 minutes east along the present City limits line as described in ordinance X-31-69 a distance of 585 feet; thence north 1 degree 37 minutes west along the present City limits line as described in ordinance X-31-69 to its intersection with the south line of the northwest quarter of Section 31; thence east along the south line of the northwest quarter of Section 31 to its intersection with the east right-of-way of Old Decatur Road; thence in a northwesterly direction along the east right-of-way of Old Decatur Road to its intersection with the south line of the north one-half of the northwest one quarter of Section 31; thence east along the south line of the north one-half of the northwest one quarter of Section 31 to a point located 339.33 feet west of the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south along the present City limits as described in ordinance X-02-81 a distance of 870.8 feet; thence south 87 degrees 16 minutes east a distance of 339.72 feet to the point of beginning, containing 54 acres of land, more or less.
Section 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
Section 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved by the Common Council by and upon the passage of this Ordinance.
Section 4. That said described territory shall be a part of City Councilmanic Political Ward No. 6 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
Section 5. That after its passage, due legal publication, any and all necessary approval by the Mayor and the required sixty (60) days remonstrance period, this ordinance shall be in full force and effect on December 31, 1983.
Janet G. Bradbury
Councilmember
Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Nine
Bradbury, Burns, Eisbart, Gialquinta, Schmidt, Schomburg, Scruggs, Stier, Talarico
Nays: None
Date: 8-23-83
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-83 on the 23rd day of August, 1983.
Attest:
Sandra E. Kennedy
City Clerk
Ben A. Eisbart
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1983, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 26th day of August, 1983, at the hour of 3:00 o'clock P.M., E.S.T.
Win Moses, Jr.
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-83 passed by the Common Council on the 23rd day of August, 1983, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of August, 1983 and now remains on file and on record in my office.
Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of August, 1983.
Sandra E. Kennedy
City Clerk

General Form No. 99 P (Rev. 1967)

City of Fort Wayne, Indiana

To NEWS-SENTINEL Dr.

County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

not exceed two actual lines, neither of which shall total more than four solid lines which the body of the advertisement is set - number of equivalent lines

1
195
2
198

of lines in notice

1 columns wide equals 198 equivalent lines at .323¢ \$63.95

ices containing rule or tabular work (50 per cent of above amount)

publication (50 cents for each proof in excess of two) 3 extra 1.50

NT OF CLAIM. \$65.45

9.6 picas Size of type 6 point

2 Size of quad upon which type is cast 6

of Ch. 89., Acts 1967.

nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that she is CLERK

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

9/2 - 9/9/83

Drusilla Roose

Subscribed and sworn to me before this 9th day of September 19 83

Anne M. Perkins

Notary Public

My commission expires November 29, 1985

Fort Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	1
Head number of lines	195
Body number of lines	2
Tail number of lines	198
Total number of lines in notice	

COMPUTATION OF CHARGES

LEGAL NOTICE
Notice is hereby given that on the 23rd day of August, 1983, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-83-08-30 Annexation Ordinance to-wit:

BILL NO. X-83-08-30
ANNEXATION ORDINANCE
NO. X-05-83

An ordinance annexing certain territory commonly known as the Southtowne Square Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 6.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

Section 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the south right-of-way line of Tillman Road with the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south on the east line of the west one-half of Section 31, Township 30 North, Range 13 East to its intersection with

the south line of the north one-half of the northwest quarter of said Section 31; thence continuing south along said east line of the west one-half of Section 31 a distance of 887 feet to the point of beginning. Beginning at the above described point; thence south along the east line of the west half of Section 31, Township 30 North, Range 13 East to the south right-of-way line of U.S. Highway #27; thence continuing south along said east line a distance of 240 feet; thence south 87 degrees 53 minutes west to the west right-of-way line of South Anthony Boulevard; thence north along the west right-of-way line of South Anthony Boulevard to a point on the present City limits line as described in ordinance X-31-69, said point being 330 feet south of the south line of South Dellwood Park, Section A; thence north 87 degrees 49 minutes east along the present City limits line as described in ordinance X-31-69 a distance of 585 feet; thence north 1 degree 37 minutes west along the present City limits line as described in ordinance X-31-69 to its intersection with the south line of the northwest quarter of Section 31; thence east along the south line of the northwest quarter of Section 31 to its intersection with the east right-of-way of Old Decatur Road; thence in a northwesterly direction along the east right-of-way of Old Decatur Road to its intersection with the south line of the north one-half of the northwest one quarter of Section 31; thence east along the south line of the north one-half of the northwest one quarter of Section 31 to a point located 339.33 feet west of the east line of the west one-half of Section 31, Township 30 North, Range 13 East; thence south along the present City limits line as described in ordinance X-02-81 a distance of 870.8 feet; thence south 87 degrees 16 minutes east a distance of 339.72 feet to the point of beginning, containing 54 acres of land, more or less.

Section 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services

lines, 1 columns wide equals 198 equivalent lines at .323¢ cents per line \$ 63.95
charge for notices containing rule or tabular work (50 per cent of above amount)
extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50
TOTAL AMOUNT OF CLAIM. \$ 65.45

PRINTING COST

single column 9.6 picas Size of type 6 point
of insertions 2 Size of quad upon which type is cast 6

of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

Section 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved by the Common Council by and upon the passage of this Ordinance.

Section 4. That said described territory shall be a part of City Councilmanic Political Ward No. 6 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

Section 5. That after its passage, due legal publication, any and all necessary approval by the Mayor and the required sixty (60) days remonstrance period, this ordinance shall be in full force and effect on December 31, 1983.

Read the third time in full and on motion by Bredbury, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Bredbury, Burns, Eisbert, Gle-Quinta, Schmidt, Schomburg, Scruggs, Stier, Talarico
Nays: None
Date: 8-23-83

Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-83 on the 23rd day of August, 1983.

Attest:
Sandra E. Kennedy
City Clerk
Ben A. Eisbert
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1983, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk
Approved and signed by me this 26th day of August, 1983, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-83 passed by the Common Council on the 23rd day of August, 1983, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of August, 1983 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of August, 1983.

Sandra E. Kennedy
City Clerk

9--2-9

notary public in and for said county and state, the

Drusilla Roose

CLERK

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

English language in the city of FORT WAYNE, INDIANA

and county aforesaid, and that the printed matter attached hereto is a true copy,

as duly published in said paper for two times

the dates of publication being

9/2 - 9/9/83

bed and sworn to me before this

9th day of September 19 83

Anne M. Perkins

Notary Public

mission expires November 29, 1985

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	
Head	number of lines	1
Body	number of lines	195
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	Total number of lines in notice	198

COMPUTATION OF CHARGES

198	lines,	1	columns wide equals	198	equivalent lines at	.323¢	\$ 63.95
			cents per line				
	Additional charge for notices containing rule or tabular work (50 per cent of above amount)						
	Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra						1.50
	TOTAL AMOUNT OF CLAIM.						\$ 65.45

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Sept. 9, 19 83

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 9/2 - 9/9/83

Drusilla Roose

Subscribed and sworn to me before this 9th day of September 19 83

Anne M. Perkins

Notary Public

My commission expires November 29, 1985



